

REMARKS

Favorable reconsideration of this application, as amended, is respectfully requested.

Claim 23 has been added. Claims 1-8 and 18-22 were rejected under 35 U.S.C. §§ 101 and 112, first paragraph. In response to the rejections, Applicants respectfully submit that the Office has misread Claim 1 as reciting a photomask in the range of nanometers. See, Office Action at Page 3, Paragraphs 4 and 5. Claim 1 recites, *inter alia*, a photomask having a shade pattern formed on a plate, the shade pattern *containing* at least nanoparticles and a binder. The proper reading of Claim 1 does not restrict the dimension of the shade pattern or the mask to the nanometer range, but merely recites a shade pattern that *contains* nanoparticles and a binder. Indeed, preferred embodiments described in the specification have shade pattern dimensions on the order of micrometers. See, e.g., Page 14, lines 4-5; Page 16 line 25 to Page 17 line 3; and new Claim 23.

Accordingly, the rejection of Claim 1 should be withdrawn, and Claim 1 should now be allowed. The remaining claims should also be allowed, at least as being dependent from Claim 1.

An early Notice of Allowance is respectfully solicited.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16

and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

Respectfully submitted,

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